

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 JUSE-00 EURE-00 SCA-01 SCS-03 L-02

RSC-01 AS-01 /021 W

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P 061541Z FEB 75

FM AMEMBASSY BERN

TO SECSTATE WASHDC PRIORITY 210

LIMITED OFFICIAL USE BERN 0549

PLEASE PASS TO U.S. TRIAL ATTORNEY (MIAMI) MORRIS SILVERSTEIN

E.O. 11652: N/A

TAGS: CFED, SZ (FIRST LIBERTY FUND CASE)

SUBJ: JUDICIAL ASSISTANCE / JUSTICEREQUEST FOR SWISS BANK

WITNESSES IN FIRST LIBERTY FUND CASE

REF: A) BERN 0348

B) TELCON RAND/SILVERSTEIN JAN. 30, 1975

1. AFTER SEVERAL CONVERSATIONS BETWEEN EMBOFF AND FORMER WIDEMANN BANK OFFICER NIKOLAUS FEDI, LATTER HAS DECIDED NOT REPEAT NOT TO TRAVEL TO U.S. TO GIVE TESTIMONY IN PENDING FIRST LIBERTY FUND PROSECUTION. AFTER EARLIER INDICATIONS THAT FEDI WOULD AGREE TO COMPLY WITH JUSTICE REQUEST, HE HAS NOW REVERTED TO HIS PREVIOUS POSITION THAT ASSUMPTION OF NEW DUTIES PRECLUDES HIS TRAVELLING TO U.S.

2. EMBOFF AGAIN DISCUSSED POSSIBILITY OF DEPOSING SOME OR ALL OF BANK OFFICIALS WHOSE AUTHENTICATION TESTIMONY IS REQUIRED BEFORE U.S. CONSULAR OFFICER. REQUEST WAS RENEWED IN VIEW OF SILVERSTEIN'S DISCLOSURE THAT SWISS BANK CORPORATION OFFICER RAES HAS INDICATED THROUGH OTHER CHANNELS THAT HE HAS NO OBJECTION TO BEING DEPOSED IN ACCORDANCE WITH U.S. STATUTORY REQUIREMENTS. FDJP HAS CONFIRMED THAT DECISION NOT TO PERMIT PROCEDURE WAS MADE AT MINISTRY LEVEL AND THAT WILLINGNESS OF WITNESS WOULD NOT ALTER
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THE DECISION.

PERCIVAL

NOTE BY OC/T: NOT PASSED MIAMI.

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Message Attributes

Automatic Decaptioning: X
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Draft Date: 06 FEB 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: SmithRJ
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Drafter: n/a
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Executive Order: N/A
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